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Long, Robert H. Smith, William R. Spivey, Neil R. Bonke,
Youssef A. El-Mansy, Yoshio Nishi, Ann D. Rhoads, William
H. Kurtz, and Delbert A. Whitaker

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 3/26/07

IN RE NOVELLUS SYSTEMS, INC.
DERIVATIVE LITIGATION,

Master File No.

CV 06-03514-RMW-HRL

DERIVATIVE ACTION

**STIPULATION AND
[] ORDER
CONCERNING INDIVIDUAL
DEFENDANTS'
ADMINISTRATIVE MOTION TO
SEAL**

This Document Relates To:
ALL ACTIONS.

Date: March 23, 2007
Time: 9:00 a.m.
Court: Courtroom 6
Judge: Hon. Ronald M. Whyte

WHEREAS, the individual defendants filed on January 19, 2007, an administrative
motion to seal the unredacted version of their motion to dismiss;

WHEREAS, plaintiff filed on January 24, 2007, an opposition to the motion to seal;

WHEREAS, the parties wish to avoid burdening the Court with unnecessary motion
practice;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
2 the undersigned counsel for plaintiff and defendants, subject to the approval of the Court,as
3 follows:

4 1. The individual defendants will file in the public record the unredacted version of
5 their motion to dismiss.

6 2. The Court need not address the individual defendants' January 19, 2007,
7 administrative motion to seal (Docket No. 60).

8 3. The public filing of the motion to dismiss shall not be evidence that the
9 confidentiality of any Novellus document designated as "Confidential" has been waived.

10 Dated: February 9, 2007

DARRYL P. RAINS
SUNIL R. KULKARNI
ELIZABETH J. MILES
MORRISON & FOERSTER LLP

14 By: /s/ Sunil R. Kulkarni

SUNIL R. KULKARNI

16 Attorneys for Individual Defendants
17 Richard S. Hill, Jeffery C. Benzing, D.
18 James Guzy, Glen G. Possley, J. David
19 Litster, Tom Long, Robert H. Smith,
20 William R. Spivey, Neil R. Bonke,
Youssef A. El-Mansy, Yoshio Nishi,
Ann D. Rhoads, William H. Kurtz, and
Delbert A. Whitaker

21 Dated: February 9, 2007

SHAWN A. WILLIAMS
LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP

24 By: /s/ Shawn A. Williams

SHAWN A. WILLIAMS

26 Attorneys for Plaintiff

1 Dated: February 9, 2007

BETSY C. MANIFOLD
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP

2
3
4 By: /s/ Betsy C. Manifold
BETSY C. MANIFOLD

5
6 Attorneys for Plaintiff

7 **ATTESTATION**

8 I, Sunil R. Kulkarni, am the ECF user whose identification and password are being used to
9 file this STIPULATION AND [PROPOSED] ORDER CONCERNING INDIVIDUAL
10 DEFENDANTS' ADMINISTRATIVE MOTION TO SEAL Pursuant to General Order 45,
11 X.B., I hereby attest that Shawn A. Williams of Lerach Coughlin Stoia Geller Rudman & Robbins
12 LLP and Betsy C. Manifold of Wolf Haldenstein Adler Freeman & Herz LLP, counsel for
13 plaintiff, have concurred in this filing.

14 Dated: February 9, 2007

15
16 By: /s/ Sunil R. Kulkarni
SUNIL R. KULKARNI

ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: 3/26/07

By: Ronald M. Whyte
THE HONORABLE RONALD W. WHYTE
United States District Judge